

ZONING AND ADJUSTMENT BOARD

June 7, 2004

The Zoning and Adjustment Board of Sumter County, Florida convened on Monday, June 7, 2004, at 6:30 P.M. with the following Board members present: Chairman Larry Story, Frank Topping, Dossie Singleton, Dave Pierazek, Mark Caruthers, Richard Bradley, Dale Nichols, and Todd Brown. Board members Rusty Mask, Rodney Caruthers, Lamar Parker, and Evan Merritt were absent. Terry Neal, Zoning and Adjustment Board Attorney and Aimee Webb, Board Secretary. Roberta Rogers, Director of Planning and Development and Charles Cilenti, Planning and Development staff member, were also present.

The Board members led everyone in the pledge and prayer.

Mr. Story presented the proof of publication.

Mr. Bradley made a motion to approve the minutes from the May 17, 2004 ZAB meeting. Mr. Brown seconded the motion and the motion carried.

T2004-0015

Lynn Fletcher, Harry Fletcher & Anne Fletcher

Mr. Nichols made a motion to remove the case from the table. Mr. Bradley seconded the motion and the motion carried. Lynn Fletcher was present and requested a Temporary Use Permit to allow an RV on the property for one year while the permanent residence is under construction. There were three notices sent. Of the three notices sent, one was received in favor and none in objection. There were no objections from the audience. Mrs. Webb explained to the Board the Fletchers have still not obtained a valid building permit. There were no further questions or discussion from the Board. Mr. Topping made a motion to table the case until the June 21st, 2004 ZAB meeting to allow the applicants additional time to obtain a valid building permit. Mr. Brown seconded the motion and the motion carried.

T2004-0016

Scott Hesler

Mr. Brown made a motion to remove the case from the table. Mr. Nichols seconded the motion and the motion carried. Scott Hesler was present and requested a Temporary Use Permit to allow an RV to be used as a residence for one year while the permanent residence is under construction. There were three notices sent. Of the three notices sent, there was one received in favor and none in objection. There were no objections from the audience. There were no further questions or discussion from the Board. Mr. Caruthers made a motion to approve the requested Temporary Use Permit as requested by the applicant. Mr. Bradley seconded the motion and the motion carried.

SS2004-0006

Bonnie & Ralph Shaw, Trustees

John Pirett, representative for the applicant, and Ralph Shaw were present and requested a small scale comprehensive plan amendment from Rural Residential to Commercial on 9.95 acres MOL. There were no objections from the audience. Mr. Pirett explained to the Board Mr. Shaw's intention was to have a warehouse to store items manufactured at a separate location. There were no further questions or discussion from the Board. Mr. Caruthers made a motion to recommend approval of the requested application to the Board of County Commissioners based on the staff report. Mr. Bradley seconded the motion and the motion carried.

R2004-0043

Bonnie & Ralph Shaw, Trustees

John Pirett, representative for the applicant, and Ralph Shaw were present and requested a rezoning from A5 to CH on 9.95 acres MOL and RR5C on 5 acres MOL. There were eleven notices sent. Of the eleven notices sent, one was received in favor and one in objection. There were no objections from the audience. The letter of objection was read into the record. The Board felt the area was not compatible with a CH zoning classification but the use was more suited to a CL zoning. Upon the Board's discussion, Mr. Pirett made a request to amend his application to a CL zoning classification. Mr. Topping made a motion to recommend approval of the amended zoning request to CL and the requested RR5C to the Board of Sumter County Commissioners. Mr. Nichols seconded the motion and the motion carried.

SS2004-0008

Phillip Dale Watts

Phillip Dale Watts was present and requested a small scale comprehensive plan amendment from Rural Residential to Commercial on 4.7 acres MOL. There were no objections from the audience. Mr. Watts stated his intention was to build a repair shop. There were no further questions or discussion from the Board. Mr. Caruthers made a motion to recommend approval of the requested application to the Board of Sumter County Commissioners based on the information provided in the staff report. Mr. Bradley seconded the motion and the motion carried.

R2004-0048

Phillip Dale Watts

Phillip Dale Watts was present and requested a rezoning from A1 to CH on 4.7 acres MOL. There were six notices sent. Of the six notices sent, one was received in favor and none in objection. There were no objections from the audience. There were no further questions or discussion from the Board. Mr. Caruthers made a motion to recommend approval of the requested application to the Board of Sumter County Commissioners based on the information provided in the staff report. Mr. Bradley seconded the motion and the motion carried.

S2004-0014

Gary Russin & Barbara Christensen

Gary Russin and Barbara Christensen were present and requested a minor special use permit for a 6 COP Quota license. There were ten notices sent. Of the ten notices sent, none were received in favor, four letters and two petitions were received in objection. The letters of objection and petitions were read into the record. There were several audience members present and requesting to speak on behalf of the application: Diane Vann, Robert Clark, Laurie McCann, Tara Murray, Carol Crawford, Dale Richards, Betty Tucker, Alice Vodica, Gene Weatherford, and Gary Elrod.

Ms. Christensen stated the purpose of the request was to allow for liquor to be consumed on premises, to allow smoking in the bar, and to allow for package sales. Laurie McCann submitted a petition in favor of the request for the license. The audience members in favor of the application stated the restaurant/bar had a family atmosphere, felt the facility did a lot of nice things for the area, and the approval of the liquor license would not change the area. Opposing audience members Diane Vann, Robert Clark and Alice Vodica, stated they were concerned about the additional traffic the use would create in their small neighborhood and there were several children playing in the streets who could be hurt by the approval of the license.

There was a discussion among the Board as to whether the use was suitable to the area as the previous owners held a SRX license which was approved in 1986. Some Board members felt the COP license approval would not be any more incompatible with the area than the SRX license.

There were no further questions or discussion from the Board. Mr. Nichols made a motion to deny the case based on the information provided in the staff report. Mr. Brown seconded the motion and the motion carried with Mr. Topping and Mr. Story voting nay.

The Board took a recess at 7:45 p.m.

The Board reconvened at 7:52 p.m. with the aforementioned Board members present.

DRI2004-1

The Villages of Sumter, DRI

Jackson Sullivan, representative for The Villages of Sumter, DRI, was present and requested a large scale comprehensive plan amendment on 440.5 acres MOL from agricultural, rural residential and commercial to mixed use, to include said property into the urban development boundary, and amend the Sector Plan. Mr. Sullivan stated there had been an error in the power of attorneys included in the application in which one for Mary and Aubrey Caruthers had been left out. Mr. and Mrs. Caruthers were present and stated Mr. Sullivan did in fact represent them. There were several audience members present and requested to speak: Marty Dzuro, Mary Caruthers, Aubrey Caruthers, Dave Simons, Dennis Rogers, Susan Brandolini, Paul Brandolini, Trey Arnett, Gary Moyer, Bob Farner, Jeff Alex, Jennifer Nichols, and Nancy Bishop.

Board members, Mr. Caruthers and Mr. Brown declared a conflict of interest. Mr. Sullivan stated the notice of proposed change to the DRI included eight parcels of which no additional residential properties were being requested. A letter of objection was read into the record. Mr. Sullivan gave the Board background information as to the location, soils and wildlife habitats of the parcels. There were no further questions or discussion from the Board. Mr. Topping made a motion to recommend transmittal approval of the requested application to the Board of Sumter County Commissioners. Mr. Nichols seconded the motion and the motion carried.

Public Forum

Mrs. Rogers gave the Board copies of the existing Future Land Use Map along C-466 from US 301 to the proposed interchange for a corridor study to be discussed for changes to the Future Land Use Map.

Mrs. Rogers also gave the Board proposed amendments to the Division of Planning and Development fee schedule and Appendix 13E, and a draft of a proposed sign ordinance to be discussed at the June 21, 2004 ZAB meeting.

Mr. Bradley made a motion to adjourn. Mr. Brown seconded the motion and the motion carried.

The meeting adjourned at 8:43 p.m.

Larry Story, Chairman
Zoning and Adjustment Board